

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION

KIRBY INLAND MARINE, LP

Plaintiff,

Civil Action No. 3:19-cv-00207

V.

**FPG SHIPHOLDING PANAMA
47 S.A., K LINE ENERGY SHIP
MANAGEMENT, and the VLGC**

Defendants,

**IN THE MATTER OF KIRBY
INLAND MARINE, LP, in a
Cause of exoneration from or
Limitation of liability**

Rule 9(h) Admiralty

Demand for Jury Trial

Consolidated with

**IN THE MATTER OF THE COMPLAINT
OF FPG SHIPHOLDING PANAMA 47
S.A. SHIP NO. 138 CO. LTD., ET AL,
in a cause for exoneration from
or limitation of liability**

Rule 9(h) Admiralty

Demand for Jury Trial

NOTICE OF STIPULATION

TO THE HONORABLE JUDGE OF SAID COURT:

Oil Pollution Act (“OPA”) Claimants in the above-captioned cause (“Claimants”) and FPG Shipholding Panama 47 S.A., Ship No. 138 Co. Ltd., Ship No. 139 Co. Ltd., Genesis River Shipping, S.A., and “K” Line Energy Ship Management Co., Ltd.’s (the “Genesis River Interests”) attended mediation on December 13, 2021.

While Claimants and the Genesis River Interests did not reach settlement at mediation, settlement discussions remain ongoing.

This case is currently set for Docket Call on January 7, 2021. ECF No. 596.

Claimants and the Genesis River Interests have **AGREED** to stay all deadlines until **February 10, 2022**, after which, if a settlement has not been reached, the parties will notify the Court and request a trial setting for the first of the bellwether trials.

Should trial become necessary, the parties will submit a joint proposal for the scheduling and order of ten (10) bellwether trials.

Additionally, the parties are not in agreement at this time as to whether or not the OPA Claimants are entitled to a jury trial, and will address this specific issue with the Court should it become necessary.

[SIGNATURE ON FOLLOWING PAGE]

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Liaison Counsel for Claimants

CERTIFICATE OF SERVICE

I hereby certify that on December 21, 2021, a true and correct copy of the foregoing document was electronically filed with the Clerk of Court for the United States District Court for the Southern District of Texas via the CM/ECF System, which provides notice to all counsel of record.

/s/ William Dills

William Dills

CERTIFICATE OF CONFERENCE

I hereby certify that I have consulted with counsel for all parties concerning this notice which is stipulated and agreed.

/s/ William Dills
William Dills